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**State Government Operations &  
Accountability Committee**

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**HB 1177**

**Brief Description:** Establishing a permitting bill of rights.

**Sponsors:** Representatives Morris, Clibborn, Linville, Simpson, P. Sullivan, Blake, Williams, Quall, Upthegrove and Kilmer.

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| <p><b>Brief Summary of Bill</b></p> <ul style="list-style-type: none"><li>• Enacts the permitting bill of rights.</li></ul> |
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**Hearing Date:** 2/9/05

**Staff:** Jim Morishima (786-7191).

**Background:**

The Office of Regulatory Assistance (ORA) is part of the Office of Financial Management. The duties of the ORA include the following:

- Maintaining and furnishing information to permit applicants;
- Facilitating the permitting process;
- Conducting customer surveys to evaluate its effectiveness;
- Developing informal processes for dispute resolution between agencies and permit applicants;
- Developing a web site containing information about regulatory requirements for businesses and citizens of the state.

The ORA is required to operate on the principle that citizens of the state should receive the following information regarding permits:

- A date and time for a decision on a permit;
- The information required for an agency to make a decision on a permit; and
- An estimate of the maximum amount of costs in fees, studies, or public processes that will be incurred by the project applicant.

**Summary of Bill:**

The Permitting Bill of Rights is enacted.

Citizens of the state have the right to know the following information when applying for a permit, license, or authorization to engage in lawful activity:

- The right to know the minimum and maximum time required by an agency for a decision on a permit or license;
- The right to know the minimum and maximum amount of information required for an agency to make a decision on a permit or license;
- The right to know when an agency considers an application complete for processing;
- The right to know the minimum and maximum costs in agency fees that will be incurred by the permit or license applicant; and
- The right to know the reasons for a denial of a permit or license in writing.

The agency issuing a permit, license, or authorization must base its estimates on the best information available and information supplied by the applicant. New information provided by the applicant may change the agency's estimates. Project modifications may result in more time, more information, or more costs being required for permit or license processing. Cost information is not required to include work performed by the private sector on behalf of the applicant.

Each state permitting and licensing agency must track the progress in meeting the information requirements and must provide an annual performance report to be posted on its web site. The report must also be forwarded to the Legislature. The report must include:

- Information regarding the minimum and maximum time required by an agency for a decision on a permit, license, or authorization;
- The minimum and maximum amount of agency fees incurred by applicants by permit type; and
- A summation of the reasons for denial for each type of permit.

The rights in the Permitting Bill of Rights apply to state permits, licenses, or other legal authorizations, but do not apply to licenses for which the only requirement is the submission of a fee.

**Appropriation:** None.

**Fiscal Note:** Requested on February 4, 2005.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.